

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA**

IN RE BARD IVC FILTERS
PRODUCTS LIABILITY LITIGATION

No. MD-15-02641-PHX-DGC

**MOTION FOR LEAVE TO AMEND
PLEADING**

Plaintiff is Gregory Cannon; Defendant is Bard Peripheral Vascular, Inc.

Plaintiff sees to amend his Master Short Form Complaint for Damages for Individual Claims to withdraw the following claim: Loss of Consortium.

The Court should allow the filing of Plaintiff's amended pleading because Defendant will not be prejudiced by the amended pleading. *Bylin v. Billings*, 568 F. 3d 1224, 1229-30 (10th Cir. 2009); *Phelps v. McClellan*, 30 F.3d 658, 662-63 (6th Cir. 1994). The amended pleading seeks to remove a claim which is not beneficial to Plaintiff nor does it affect Defendant.

For these reasons, Plaintiff asks the Court to grant leave to file the amended pleading. RESPECTFULLY SUBMITTED this 16th day of June 2017.

Roxell Richards Law Firm

By: /s/ Roxell Richards

1 Roxell Richards
2 TX Bar No. 24049753
3 Roxell Richards Law Firm
4 6420 Richmond Ave Ste. 135
5 Houston TX, 77057

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7 *Attorney for Plaintiff*

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10 I hereby certify that on this 16th day of June, 2017, I electronically transmitted the
11 attached document to the Clerk's Office using the CM/ECF System for filing and
12 transmittal of a Notice of Electronic Filing.

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15 /s/ Roxell Richards
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